

## Requiring local approval of motor-vehicle inspection facilities on the border

HB 3554 by Raymond (Zaffirini)

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**DIGEST:** HB 3554 would have allowed the City of Laredo to choose the site for one of eight “one-stop” motor-vehicle inspection facilities being built along the Texas-Mexico border by the Texas Department of Transportation (TxDOT). If a facility serving a bridge that had more than 900,000 commercial border crossings during fiscal 2002 were to be located within municipal limits or extraterritorial jurisdiction (ETJ), the municipality would have had 180 days to select a site after TxDOT requested a location. Laredo would have had to pay for an independent transportation study identifying commercial truck traffic patterns for the chosen site and ensuring that it could conduct a sufficient number of meaningful vehicle safety inspections as required by federal law. TxDOT would have had to implement intelligent transportation systems for commercial vehicle operations, based on an existing state business plan.

**GOVERNOR’S REASON FOR VETO:** “House Bill No. 3554 would allow the City of Laredo to bypass federal regulations and state safety objectives in selecting the location of a border safety inspection facility. Congress implemented these facilities to inspect commercial vehicles crossing the border and intended the facilities to be located at border crossings. Similarly, the Texas Department of Public Safety has selected a site near Laredo’s border with Mexico to improve roadway safety.

“The City of Laredo has already objected to the site selection for the border inspection facility through its lawsuit against the state and federal government. The city’s desire to locate the facility some 30 miles away from the border crossing not only violates federal regulations but also would undermine highway safety.

“I have consistently supported roadway safety and measures to ensure that commercial vehicles crossing our border with Mexico meet the same standards that other commercial vehicles must meet.”

**RESPONSE:** Rep. Richard Raymond, the bill’s author, said: “Gov. Perry’s veto of HB 3554, which passed both the House and Senate with overwhelming support, is based on a complete misrepresentation of the truck safety inspection issue and a profound lack of understanding of the pattern of international trade crossing north and south each day over Laredo’s World Trade and Columbia Solidarity bridges.

“TxDOT’s opposition to HB 3554 and the governor’s veto action completely fails to consider the City of Laredo’s reasons for requesting that inspection stations be placed 28 miles outside the city, where traffic from the two international bridges intersect at an existing border security checkpoint.

“We believe that locating a safety inspection station for Mexican trucks crossing into Texas within the city limits at the bridge — at the point where both commercial and personal vehicle traffic is heaviest — will create massive traffic jams, long lines, and

delays in normal commuter traffic, as well as greatly increasing the environmental hazards associated with truck fumes from thousands of idling trucks.

“I am convinced that placing an inspection station at the bridges will create massive traffic jams that will actually impede thorough truck inspections. The inspectors have testified they are likely to quickly wave the trucks through with only a brief inspection because of the pressure they feel to keep traffic flowing.

“Opponents of HB 3554 argue that the bill would allow the City of Laredo to bypass federal regulations and state safety objectives in selecting the location of a border safety inspection facility. In fact, it does the opposite. By locating safety inspection stations on Texas highways away from the bridge, you actually ensure the safety of Texas drivers by enabling safety inspectors to do a much more thorough, in-depth inspection of the trucks.

“TxDOT’s argument that allowing the City of Laredo to choose an inspection station site violates regulations in the federal transportation measure that opened U.S. highways to Mexican trucks is clearly wrong. Federal regulations do not state exactly where an inspection station should be located. It states that commercial vehicles that travel into the interior of the United States must meet federal safety requirements, and HB 3554 incorporates the federal language.

“In an effort to compromise and meet TxDOT’s objections, the City of Laredo suggested safety inspection sites closer to the border than the 28-mile checkpoint. TxDOT refused to even consider these locations.

“If the governor’s real concern was safe highways, he should have signed HB 3554. The bill guarantees that all trucks (Mexican, U.S., and Canadian) that travel into the interior of the United States would be safe before it entered any city in the interior of the United States. The only way to guarantee that trucks meet the same standards is by having all trucks inspected for the same safety criteria in a thorough and unhurried manner.”

Sen. Judith Zaffirini, the Senate sponsor, said: “HB 3554 would have allowed the City of Laredo to help select the site for the border inspection facility, instead of allowing the Texas Department of Public Safety and the Texas Department of Transportation to make the decision singlehandedly. The governor’s veto flies in the face of ‘local control,’ undermines a local municipality’s authority, and erroneously assumes that the city would bypass federal regulations and state safety objectives. This veto will result in state agencies making wrongful decisions that will cause problems related to congestion, pollution, and inefficiency. It negatively will impact border business at the nation’s largest inland port.”

NOTES: HB 3554 was analyzed in in Part Two of the May 6 *Daily Floor Report*.